

Luke, Tim

From: Luke, Tim
Sent: Sunday, September 01, 2002 1:56 PM
To: Young, Norm
Cc: Jones, Harold (Skip); Carlson, Ron
Subject: Bell & Tanner Drain

Norm,

Last week Skip faxed over a letter from William Fellows who recently received an order from IDWR regarding installation of measuring devices and headgates for diversions on the Bell and Tanner Drain. The order also concluded that the drain is tributary to the Bear River and subject to watermaster control. Fellows' letter is essentially a petition for reconsideration of the preliminary order. The petition appears to be timely. The petition also provides some arguments concerning the source of water and whether it is tributary to the Bear River. Upon your request and recent discussion with the watermaster, I drafted letters last week to users on the drain notifying them that the watermaster would curtail and lock the diversions if they continued to divert out of priority. I pulled these letters from the mail box on 8/26 when I received a copy of the Fellows letter.

How do you wish to proceed? Should the region proceed with scheduling some type of conference and opportunity for oral argument and/or submittal of briefs? Please advise.

Regards, Tim

(sent separate e-mail cc to Pete Peterson)